

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re GRAND JURY
INVESTIGATION 07-01

No. 07-168M

In re Material Witness:

DETENTION ORDER
Material Witness

MI YEON CHO

Charge: Material Witness

Date of Detention Hearing: April 9, 2007

The Court, having conducted an uncontested detention hearing pursuant to 18 U.S.C. §§ 3142(f) and 3144, and based upon the factual findings and statement of reasons hereafter set forth, finds that detention is necessary to adequately secure the testimony of the material witness, and to prevent a failure of justice.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Mi Yeon Cho was arrested on a material witness warrant in a matter currently pending before the grand jury, upon a finding that she had material evidence to provide and that it was impracticable to secure her presence by subpoena. She made her initial appearance in this Court on April 4, 2007.

(2) The United States has moved to detain Ms. Cho pursuant to 18 U.S.C. § 3144 pending her appearance before the grand jury.

(3) There is an immigration detainer lodged against the witness.

01 (4) Defendant has stipulated to detention, but reserves the right to contest her
02 continued detention if there is a change in circumstances.

03 (5) The material witness is viewed as a risk of nonappearance based on her
04 unknown background information and lack of information about any ties to this community
05 or to the Western District of Washington.

06 It is therefore ORDERED:

07 (1) The material witness shall be detained pending the taking of her testimony and
08 committed to the custody of the Attorney General for confinement in a
09 corrections facility separate, to the extent practicable, from persons awaiting or
10 serving sentences, or being held in custody pending appeal;

11 (2) The material witness shall be afforded reasonable opportunity for private
12 consultation with counsel;

13 (3) On order of a court of the United States or on request of an attorney for the
14 government, the person in charge of the corrections facility in which material
15 witness is confined shall deliver the material witness to a United States
16 Marshal for the purpose of an appearance in connection with a court
17 proceeding or for providing testimony in connection with a case pending in
18 this Court; and

19 (4) The Clerk shall direct copies of this Order to counsel for the United States,
20 counsel for the material witness, the United States Marshal, and the United
21 States Pretrial Services Officer.

22 DATED this 9th day of April, 2007.

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24 MONICA J. BENTON
25 United States Magistrate Judge
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